

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JACOB DOE,

Plaintiff,

V.

**VIRGINIA POLYTECHNIC INSTITUTE
AND STATE UNIVERSITY, et al.,**

Defendants.

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Case No. 7:19cv249

JOINT MOTION TO CONTINUE

Defendant, Virginia Polytechnic Institute and State University, and plaintiff, Jacob Doe, by counsel, jointly move this Court for entry of an Order continuing the trial of this matter and modifying the Court's Scheduling Order. In Support thereof, the parties state as follows:

1. This case is currently set for trial beginning October 3, 2022, through October 7, 2022.
2. Currently pending before the Court is defendant's Motion for Summary Judgment and plaintiff's Motion to Exclude one of defendant's retained experts. The motions have been fully briefed and are ripe for decision.
3. After having jointly conferred and agreed, the parties desire to continue the trial of this matter until the pending motions have been addressed by the Court as resolution of those motions will necessarily impact the parties' trial preparation, designated witnesses, and exhibits, deposition designations and counterdesignations, motions in limine, and jury instructions.

4. Additionally, the parties anticipate incurring substantial expense in preparation for trial, and the parties desire to continue the trial of this matter in order to conserve the parties' resources and expenses.

5. No party will be prejudiced by this requested continuance, and although it will require modification of the Court's schedule, the parties believe the benefits of a continuance outweigh any potential burdens imposed by a continuance.

For the foregoing reasons, the parties respectfully request entry of an Order continuing the trial of this matter, directing the parties to contact the Court for purposes of rescheduling the trial, modifying the Court's Scheduling Order to adjust the remaining deadlines on the Court's Scheduling Order based on the new trial date, and granting such further relief as the Court deems just and proper.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on August 8, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically send notification of such filing to all counsel of record.

/s/ Nathan H. Schnetzler

